ST/SGB/2005/5

Staff Regulations

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Secretary-General's bulletin

Staff Regulations

The Secretary-General promulgates the following, with respect to the Staff Regulations of the United Nations, established by the General Assembly in accordance with Article 101 of the Charter of the United Nations:

Section 1
Revised edition of the Staff Regulations

1.1 By its resolution 57/310, the General Assembly approved an amendment to the text of paragraph 1 of annex 1 to the Staff Regulations, effective 1 January 2003.

1.2 By its resolution 59/268, the Assembly approved revised salary scales for staff in the Professional and higher categories and consequential amendments to the Staff Regulations, effective 1 January 2005.

1.3 The revised text of the Staff Regulations incorporating the amendments referred to above is attached to the present bulletin.

Section 2
Final provisions

2.1 The revised Staff Regulations are effective from 1 January 2005.

2.2 The present bulletin abolishes Secretary-General's bulletins ST/SGB/2003/5 (7 February 2003) and ST/SGB/2003/10 (11 August 2003).

(*Signed*) Kofi A. **Annan**
Secretary-General

Charter of the United Nations

Provisions relating to service of the staff

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 100

1. In the performance of their duties, the Secretary-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

Earlier amendments to the Staff Regulations

The General Assembly established the Staff Regulations of the United Nations according to Article 101 of the Charter by resolution 590 (VI) of 2 February 1952 and amended them thereafter by resolutions 781 (VIII) and 782 (VIII) of 9 December 1953, resolution 882 (IX) of 14 December 1954, resolution 887 (IX) of 17 December 1954, resolution 974 (X) of 15 December 1955, resolution 1095 (XI) of 27 February 1957, resolutions 1225 (XII) and 1234 (XII) of 14 December 1957, resolution 1295 (XIII) of 5 December 1958, resolution 1658 (XVI) of 28 November 1961, resolution 1730 (XVI) of 20 December 1961, resolution 1929 (XVIII) of 11 December 1963, resolution 2050 (XX) of 13 December 1965, resolution 2121 (XX) of 21 December 1965, resolution 2369 (XXII) of 19 December 1967, resolutions 2481 (XXIII) and 2485 (XXIII) of 21 December 1968, resolution 2742 (XXV) of 17 December 1970, resolution 2888 (XXVI) of 21 December 1971, resolution 2990 (XXVII) of 15 December 1972, resolution 3008 (XXVII) of 18 December 1972, resolution 3194 (XXVIII) of 18 December 1973, resolutions 3353 (XXIX) and 3358 B (XXIX) of 18 December 1974, resolution 31/141 B of 17 December 1976, resolution 32/200 and decision 32/450 B of 21 December 1977, resolution 33/119 of 19 December 1978, decision 33/433 of 20 December 1978, resolution 35/214 of 17 December 1980, decision 36/459 of 18 December 1981, resolution 37/126 of 17 December 1982, resolution 37/235 C of 21 December 1982, resolution 39/69 of 13 December 1984, resolutions 39/236 and 39/245 of 18 December 1984, decision 40/467 of 18 December 1985, resolutions 41/207 and 41/209 of 11 December 1986, resolutions 42/221 and 42/225 of 21 December 1987, resolution 43/226 of 21 December 1988, resolution 44/185 of 19 December 1989, resolution 44/198 of 21 December 1989, resolutions 45/241 and 45/251 of 21 December 1990, resolution 45/259 of 3 May 1991, resolution 46/191 of 20 December 1991, resolution 47/216 of 12 March 1993, resolution 47/226 of 30 April 1993, resolutions 48/224 and 48/225 of 23 December 1993, resolutions 49/222 and 49/223 of 23 December 1994, resolution 49/241 of 6 April 1995, resolution 51/216 of 18 December 1996, resolution 52/216 of 22 December 1997, resolution 52/225 of 4 February 1998, resolution 52/252 of 8 September 1998, resolution 54/238 and decision 54/460 of 23 December 1999, resolution 55/223 of 23 December 2000, resolution 55/258 of 14 June 2001, resolution 56/244 of 24 December 2001, resolution 57/285 of 20 December 2002, resolution 57/310 of 18 June 2003, resolution 58/265 of 23 December 2003 and resolution 59/268 of 23 December 2004.

Staff Regulations of the United Nations

Contents

Article		*Page*
	Scope and purpose	1
I.	Duties, obligations and privileges	1
II.	Classification of posts and staff	4
III.	Salaries and related allowances	5
IV.	Appointment and promotion	8
V.	Annual and special leave	10
VI.	Social security	10
VII.	Travel and removal expenses	10
VIII.	Staff relations	11
IX.	Separation from service	11
X.	Disciplinary measures	12
XI.	Appeals	13
XII.	General provisions	13
Annexes		
I.	Salary scales and related provisions	15
II.	Letters of appointment	18
III.	Termination indemnity	19
IV.	Repatriation grant	21

Staff Regulations of the United Nations

Scope and purpose

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat. They represent the broad principles of personnel policy for the staffing and administration of the Secretariat. For the purposes of these Regulations, the expressions "United Nations Secretariat", "staff members" or "staff" shall refer to all the staff members of the Secretariat, within the meaning of Article 97 of the Charter of the United Nations, whose employment and contractual relationship are defined by a letter of appointment subject to regulations promulgated by the General Assembly pursuant to Article 101, paragraph 1, of the Charter. The Secretary-General, as the chief administrative officer, shall provide and enforce such staff rules consistent with these principles as he or she considers necessary.

Article I
Duties, obligations and privileges

Regulation 1.1
Status of staff

(a) Staff members are international civil servants. Their responsibilities as staff members are not national but exclusively international;

(b) Staff members shall make the following written declaration witnessed by the Secretary-General or his or her authorized representative:

> "I solemnly declare and promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or other source external to the Organization.
>
> "I also solemnly declare and promise to respect the obligations incumbent upon me as set out in the Staff Regulations and Rules."

(c) The Secretary-General shall ensure that the rights and duties of staff members, as set out in the Charter and the Staff Regulations and Rules and in the relevant resolutions and decisions of the General Assembly, are respected;

(d) The Secretary-General shall seek to ensure that the paramount consideration in the determination of the conditions of service shall be the necessity of securing staff of the highest standards of efficiency, competence and integrity;

(e) The Staff Regulations apply to all staff at all levels, including staff of the separately funded organs and staff holding appointments under the 100, 200 and 300 series of the Staff Rules;

(f) The privileges and immunities enjoyed by the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to the staff members who are

covered by them to fail to observe laws and police regulations of the State in which they are located, nor do they furnish an excuse for non-performance of their private obligations. In any case where an issue arises regarding the application of these privileges and immunities, the staff member shall immediately report the matter to the Secretary-General, who alone may decide whether such privileges and immunities exist and whether they shall be waived in accordance with the relevant instruments.

Regulation 1.2
Basic rights and obligations of staff

Core values

(a) Staff members shall uphold and respect the principles set out in the Charter, including faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women. Consequently, staff members shall exhibit respect for all cultures; they shall not discriminate against any individual or group of individuals or otherwise abuse the power and authority vested in them;

(b) Staff members shall uphold the highest standards of efficiency, competence and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status;

General rights and obligations

(c) Staff members are subject to the authority of the Secretary-General and to assignment by him or her to any of the activities or offices of the United Nations. In exercising this authority the Secretary-General shall seek to ensure, having regard to the circumstances, that all necessary safety and security arrangements are made for staff carrying out the responsibilities entrusted to them;

(d) In the performance of their duties staff members shall neither seek nor accept instructions from any Government or from any other source external to the Organization;

(e) By accepting appointment, staff members pledge themselves to discharge their functions and regulate their conduct with the interests of the Organization only in view. Loyalty to the aims, principles and purposes of the United Nations, as set forth in its Charter, is a fundamental obligation of all staff members by virtue of their status as international civil servants;

(f) While staff members' personal views and convictions, including their political and religious convictions, remain inviolable, staff members shall ensure that those views and convictions do not adversely affect their official duties or the interests of the United Nations. They shall conduct themselves at all times in a manner befitting their status as international civil servants and shall not engage in any activity that is incompatible with the proper discharge of their duties with the United Nations. They shall avoid any action and, in particular, any kind of public pronouncement that may adversely reflect on their status, or on the integrity, independence and impartiality that are required by that status;

(g) Staff members shall not use their office or knowledge gained from their official functions for private gain, financial or otherwise, or for the private gain of any third party, including family, friends and those they favour. Nor shall staff members use their office for personal reasons to prejudice the positions of those they do not favour;

(h) Staff members may exercise the right to vote but shall ensure that their participation in any political activity is consistent with, and does not reflect adversely upon, the independence and impartiality required by their status as international civil servants;

(i) Staff members shall exercise the utmost discretion with regard to all matters of official business. They shall not communicate to any Government, entity, person or any other source any information known to them by reason of their official position that they know or ought to have known has not been made public, except as appropriate in the normal course of their duties or by authorization of the Secretary-General. These obligations do not cease upon separation from service;

Honours, gifts or remuneration

(j) No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government;

(k) If refusal of an unanticipated honour, decoration, favour or gift from a Government would cause embarrassment to the Organization, the staff member may receive it on behalf of the Organization and then report and entrust it to the Secretary-General, who will either retain it for the Organization or arrange for its disposal for the benefit of the Organization or for a charitable purpose;

(l) No staff member shall accept any honour, decoration, favour, gift or remuneration from any non-governmental source without first obtaining the approval of the Secretary-General;

Conflict of interest

(m) Staff members shall not be actively associated with the management of, or hold a financial interest in, any profit-making, business or other concern, if it were possible for the staff member or the profit-making, business or other concern to benefit from such association or financial interest by reason of his or her position with the United Nations;

(n) All staff members at the Assistant Secretary-General level and above shall be required to file financial disclosure statements upon appointment and at intervals as prescribed by the Secretary-General, in respect of themselves and their dependent children, including any substantial transfers of assets and property to spouses and dependent children from the staff member or from any other source that might constitute a conflict of interest, after knowledge of the appointment or during its tenure, to provide certification stating that there is no conflict of interest with regard to the economic activities of spouses and dependent children, and to assist the Secretary-General in verifying the above-mentioned certification on his or her special request. The financial disclosure statements will remain confidential and will *only be used, as prescribed by the* Secretary-General, in making determinations pursuant to staff regulation 1.2 (m);

Outside employment and activities

(o) Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Secretary-General;

(p) The Secretary-General may authorize staff members to engage in an outside occupation or employment, whether remunerated or not, if:

(i) The outside occupation or employment does not conflict with the staff member's official functions or the status of an international civil servant;

(ii) The outside occupation or employment is not against the interest of the United Nations; and

(iii) The outside occupation or employment is permitted by local law at the duty station or where the occupation or employment occurs;

Use of property and assets

(q) Staff members shall only use the property and assets of the Organization for official purposes and shall exercise reasonable care when utilizing such property and assets;

(r) Staff members must respond fully to requests for information from staff members and other officials of the Organization authorized to investigate possible misuse of funds, waste or abuse.

Regulation 1.3
Performance of staff

(a) Staff members are accountable to the Secretary-General for the proper discharge of their functions. Staff members are required to uphold the highest standards of efficiency, competence and integrity in the discharge of their functions, and their performance will be appraised periodically to ensure that the required standards of performance are met;

(b) The whole time of staff members shall be at the disposal of the Secretary-General for the performance of official functions; however, the Secretary-General shall establish a normal working week and shall establish official holidays for each duty station. Exceptions may be made by the Secretary-General as the needs of the service may require, and staff members shall be required to work beyond the normal tour of duty when requested to do so.

Article II
Classification of posts and staff

Regulation 2.1

In conformity with principles laid down by the General Assembly, the Secretary-General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required.

Article III
Salaries and related allowances

Regulation 3.1

Salaries of staff members shall be fixed by the Secretary-General in accordance with the provisions of annex I to the present Regulations.

Regulation 3.2

(a) The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university or similar educational institution of a type that will, in the opinion of the Secretary-General, facilitate the child's reassimilation in the staff member's recognized home country. The grant shall be payable in respect of the child up to the end of the fourth year of post-secondary studies or the award of the first recognized degree, whichever is the earlier. The amount of the grant per scholastic year for each child shall be 75 per cent of the admissible educational expenses actually incurred, subject to a maximum grant as approved by the General Assembly. Travel costs of the child may also be paid for an outward and return journey once in each scholastic year between the educational institution and the duty station, except that in the case of staff members serving at designated duty stations where schools do not exist that provide schooling in the language or in the cultural tradition desired by staff members for their children, such travel costs may be paid twice in the year in which the staff member is not entitled to home leave. Such travel shall be by a route approved by the Secretary-General but not in an amount exceeding the cost of such a journey between the home country and the duty station;

(b) The Secretary-General shall also establish terms and conditions under which, at designated duty stations, an additional amount of 100 per cent of boarding costs subject to a maximum amount per year as approved by the General Assembly may be paid in respect of children in school attendance at the primary and secondary levels;

(c) The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member serving in a country whose language is different from his or her own and who is obliged to pay tuition for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his or her own;

(d) The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of this grant per year for each disabled child shall be equal to 100 per cent of the education expenses actually incurred, up to a maximum amount approved by the General Assembly;

(e) The Secretary-General may decide in each case whether the education grant shall extend to adopted children or stepchildren.

Regulation 3.3

(a) An assessment at the rates and under the conditions specified below shall be applied to the salaries and such other emoluments of staff members as are computed on the basis of salary, excluding post adjustments, provided that the Secretary-General may, where he or she deems it advisable, exempt from the assessment the salaries and emoluments of staff members engaged at locality rates.

(b) (i) The assessment shall be calculated at the following rates for staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations:

Assessment

Total assessable payments (United States dollars)	*Staff assessment rates for purposes of pensionable remuneration and pensions (percentage)*
Up to 20,000 per year	11
20,001 to 40,000 per year	18
40,001 to 60,000 per year	25
60,001 and above per year	30

Staff assessment rates used in conjunction with gross base salaries (effective 1 March 2000)

A. *Staff assessment rates for staff member with dependants*

Assessable payments (United States dollars)	*Staff assessment rates for those with a dependent spouse or dependent child (percentage)*
First 30,000 per year	18
Next 30,000 per year	28
Next 30,000 per year	34
Remaining assessable payments	38

B. *Staff assessment for staff members without dependants*

Staff assessment amounts for those with neither a dependent spouse nor a dependent child would be equal to the differences between the gross salaries at different grades and steps and the corresponding net salaries at the single rate.

(ii) The assessment shall be calculated at the following rates for staff members whose salary rates are established under paragraph 6 of annex I to the present Regulations:

Total assessable payments (United States dollars)	*Assessment (percentage)*
Up to 20,000 per year	19
20,001 to 40,000 per year	23
40,001 to 60,000 per year	26
60,001 and above per year	31

(iii) The Secretary-General shall determine which of the scales of assessment set out in subparagraphs (i) and (ii) above shall apply to each of the groups of personnel whose salary rates are established under paragraph 5 of annex I to the present Regulations;

(iv) In the case of staff members whose salary scales are established in currencies other than United States dollars, the relevant amounts to which the assessment applies shall be fixed at the local currency equivalent of the above-mentioned dollar amounts at the time the salary scales of the staff member concerned are approved.

(c) In the case of a person who is not employed by the United Nations for the whole of a calendar year or in cases where there is a change in the annual rate of payments made to a staff member, the rate of assessment shall be governed by the annual rate of each such payment made to him or her;

(d) The assessment computed under the foregoing provisions of the present regulation shall be collected by the United Nations by withholding it from payments. No part of the assessment so collected shall be refunded because of cessation of employment during the calendar year;

(e) Revenue derived from staff assessment not otherwise disposed of by specific resolution of the General Assembly shall be credited to the Tax Equalization Fund established by General Assembly resolution 973 A (X);

(f) Where a staff member is subject both to staff assessment under this plan and to national income taxation in respect of the salaries and emoluments paid to him or her by the United Nations, the Secretary-General is authorized to refund to him or her the amount of staff assessment collected from him or her provided that:

(i) The amount of such refund shall in no case exceed the amount of his or her income taxes paid and payable in respect of his or her United Nations income;

(ii) If the amount of such income taxes exceeds the amount of staff assessment, the Secretary-General may also pay to the staff member the amount of such excess;

(iii) Payments made in accordance with the provisions of the present regulation shall be charged to the Tax Equalization Fund;

(iv) A payment under the conditions prescribed in the three preceding subparagraphs is authorized in respect of dependency benefits and post adjustments, which are not subject to staff assessment but may be subject to national income taxation.

Regulation 3.4

(a) Staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations shall be entitled to receive dependency allowances for a dependent child, for a disabled child and for a secondary dependant at rates approved by the General Assembly as follows:

(i) The staff member shall receive an allowance for each dependent child, except that the allowance shall not be paid in respect of the first dependent child if the staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate of staff assessment under subparagraph (b) (i) of regulation 3.3;

(ii) The staff member shall receive a special allowance for each disabled child. However, if the staff member has no dependent spouse and is entitled to the dependency rate of staff assessment under subparagraph (b) (i) of regulation 3.3 in respect of a disabled child, the allowance shall be the same as the allowance for a dependent child in (i) above;

(iii) Where there is no dependent spouse, a single annual allowance shall be paid for a secondary dependant in respect of either a dependent parent, a dependent brother or a dependent sister;

(b) If both husband and wife are staff members, one may claim, for dependent children, under subparagraph (a) (i) and (ii) above, in which case the other may claim only under subparagraph (a) (iii) above, if otherwise entitled;

(c) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Secretary-General shall prescribe conditions under which the dependency allowance for a child specified in subparagraph (a) (i) above shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance;

(d) Staff members whose salary rates are set by the Secretary-General under paragraph 5 or paragraph 6 of annex I to the present Regulations shall be entitled to receive dependency allowances at rates and under conditions determined by the Secretary-General, due regard being given to the circumstances in the locality in which the office is located;

(e) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. A separate claim for dependency allowances shall be made each year.

Article IV
Appointment and promotion

Regulation 4.1

As stated in Article 101 of the Charter, the power of appointment of staff members rests with the Secretary-General. Upon appointment, each staff member, including a staff member on secondment from government service, shall receive a

letter of appointment in accordance with the provisions of annex II to the present Regulations and signed by the Secretary-General or by an official in the name of the Secretary-General.

Regulation 4.2

The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Regulation 4.3

In accordance with the principles of the Charter, selection of staff members shall be made without distinction as to race, sex or religion. So far as practicable, selection shall be made on a competitive basis.

Regulation 4.4

Subject to the provisions of Article 101, paragraph 3, of the Charter, and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations. This consideration shall also apply, on a reciprocal basis, to the specialized agencies brought into relationship with the United Nations. The Secretary-General may limit eligibility to apply for vacant posts to be filled by staff members appointed for one year or longer under the 100 series of the Staff Rules to internal candidates, as defined by the Secretary-General. If so, other candidates shall be allowed to apply, under conditions to be defined by the Secretary-General, when no internal candidate meets the requirements of Article 101, paragraph 3, of the Charter as well as the requirements of the post.

Regulation 4.5

(a) Appointment of Under-Secretaries-General and of Assistant Secretaries-General shall normally be for a period of five years, subject to prolongation or renewal. Other staff members shall be granted either permanent or temporary appointments under such terms and conditions consistent with the present Regulations as the Secretary-General may prescribe;

(b) The Secretary-General shall prescribe which staff members are eligible for permanent appointments. The probationary period for granting or confirming a permanent appointment shall normally not exceed two years, provided that in individual cases the Secretary-General may extend the probationary period for not more than one additional year.

Regulation 4.6

The Secretary-General shall establish appropriate medical standards that staff members shall be required to meet before appointment.

Article V
Annual and special leave

Regulation 5.1

Staff members shall be allowed appropriate annual leave.

Regulation 5.2

Special leave may be authorized by the Secretary-General in exceptional cases.

Regulation 5.3

Eligible staff members shall be granted home leave once in every two years. However, in the case of designated duty stations having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service shall not be eligible for home leave.

Article VI
Social security

Regulation 6.1

Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that Fund.

Regulation 6.2

The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the United Nations.

Article VII
Travel and removal expenses

Regulation 7.1

Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall in appropriate cases pay the travel expenses of staff members, their spouses and dependent children.

Regulation 7.2

Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall pay removal costs for staff members.

Article VIII
Staff relations

Regulation 8.1

(a) The Secretary-General shall establish and maintain continuous contact and communication with the staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies;

(b) Staff representative bodies shall be established and shall be entitled to initiate proposals to the Secretary-General for the purpose set forth in subparagraph (a) above. They shall be organized in such a way as to afford equitable representation to all staff members, by means of elections that shall take place at least biennially under electoral regulations drawn up by the respective staff representative body and agreed to by the Secretary-General;

(c) Cancelled.

Regulation 8.2

The Secretary-General shall establish joint staff/management machinery at both local and Secretariat-wide levels to advise him or her regarding personnel policies and general questions of staff welfare as provided in regulation 8.1.

Article IX
Separation from service

Regulation 9.1

(a) The Secretary-General may terminate the appointment of a staff member who holds a permanent appointment and whose probationary period has been completed, if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory or if he or she is, for reasons of health, incapacitated for further service;

The Secretary-General may also, giving the reasons therefor, terminate the appointment of a staff member who holds a permanent appointment:

(i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article 101, paragraph 3, of the Charter;

(ii) If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should, under the standards established in the Charter, have precluded his or her appointment;

No termination under subparagraphs (i) and (ii) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General;

Finally, the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned;

(b) The Secretary-General may terminate the appointment of a staff member with a fixed-term appointment prior to the expiration date for any of the reasons specified in subparagraph (a) above, or for such other reason as may be specified in the letter of appointment;

(c) In the case of all other staff members, including staff members serving a probationary period for a permanent appointment, the Secretary-General may, at any time, terminate the appointment if, in his or her opinion, such action would be in the interest of the United Nations.

Regulation 9.2

Staff members may resign from the Secretariat upon giving the Secretary-General the notice required under the terms of their appointment.

Regulation 9.3

(a) If the Secretary-General terminates an appointment, the staff member shall be given such notice and such indemnity payment as may be applicable under the Staff Regulations and Staff Rules. Payments of termination indemnity shall be made by the Secretary-General in accordance with the rates and conditions specified in annex III to the present Regulations;

(b) The Secretary-General may, where the circumstances warrant and he or she considers it justified, pay to a staff member terminated under the final paragraph of staff regulation 9.1 (a) a termination indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Regulations.

Regulation 9.4

The Secretary-General shall establish a scheme for the payment of repatriation grants within the maximum rates and under the conditions specified in annex IV to the present Regulations.

Regulation 9.5

Staff members shall not be retained in active service beyond the age of sixty years or, if appointed on or after 1 January 1990, beyond the age of sixty-two years. The Secretary-General may, in the interest of the Organization, extend this age limit in exceptional cases.

Article X
Disciplinary measures

Regulation 10.1

The Secretary-General may establish administrative machinery with staff participation which will be available to advise him or her in disciplinary cases.

Regulation 10.2

The Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory.

The Secretary-General may summarily dismiss a member of the staff for serious misconduct.

Article XI
Appeals

Regulation 11.1

The Secretary-General shall establish administrative machinery with staff participation to advise him or her in case of any appeal by staff members against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent regulations and rules.

Regulation 11.2

The United Nations Administrative Tribunal shall, under conditions prescribed in its statute, hear and pass judgement upon applications from staff members alleging non-observance of their terms of appointment, including all pertinent regulations and rules.

Article XII
General provisions

Regulation 12.1

The present Regulations may be supplemented or amended by the General Assembly, without prejudice to the acquired rights of staff members.

Regulation 12.2

Such staff rules and amendments as the Secretary-General may make to implement the present Regulations shall be provisional until the requirements of regulations 12.3 and 12.4 below have been met.

Regulation 12.3

The full text of provisional staff rules and amendments shall be reported annually to the General Assembly. Should the Assembly find that a provisional rule and/or amendment is inconsistent with the intent and purpose of the Regulations, it may direct that the rule and/or amendment be withdrawn or modified.

Regulation 12.4

The provisional rules and amendments reported by the Secretary-General, taking into account such modifications and/or deletions that may be directed by the General Assembly, shall enter into full force and effect on 1 January following the year in which the report is made to the Assembly.

Regulation 12.5

Staff rules shall not give rise to acquired rights within the meaning of regulation 12.1 while they are provisional.

Annex I

Salary scales and related provisions

1. The Secretary-General shall establish the salary of the Administrator of the United Nations Development Programme and the salaries of United Nations officials in the Director category and above, in accordance with amounts determined by the General Assembly, subject to the staff assessment plan provided in staff regulation 3.3 and to post adjustments wherever applied. If otherwise eligible, they shall receive the allowances that are available to staff members generally.

2. The Secretary-General is authorized, on the basis of appropriate justification and/or reporting, to make additional payments to United Nations officials in the Director category and above to compensate for such special costs as may be reasonably incurred, in the interests of the Organization, in the performance of duties assigned to them by the Secretary-General. Similar additional payments in similar circumstances may be made to heads of offices away from Headquarters. The maximum total amount of such payments is to be determined in the programme budget by the General Assembly.

3. Except as provided in paragraph 5 of the present annex, the salary scales and the scales of post adjustment for staff members in the Professional and higher categories shall be as shown in the present annex.

4. Subject to satisfactory service, salary increments within the levels set forth in paragraph 3 of the present annex shall be awarded annually, except that any increments above step XI of the Associate Officer level, step XIII of the Second Officer level, step XII of the First Officer level, step X of the Senior Officer level and step IV of the Principal Officer level shall be preceded by two years at the previous step. The Secretary-General is authorized to reduce the interval between salary increments to ten months and twenty months, respectively, in the case of staff subject to geographical distribution who have an adequate and confirmed knowledge of a second official language of the United Nations.

5. The Secretary-General shall determine the salary rates to be paid to personnel specifically engaged for short-term missions, conference and other short-term service, to consultants, to Field Service personnel and to technical assistance experts.

6. The Secretary-General shall fix the salary scales for staff members in the General Service and related categories, normally on the basis of the best prevailing conditions of employment in the locality of the United Nations Office concerned, provided that the Secretary-General may, where he or she deems it appropriate, establish rules and salary limits for payment of a non-resident allowance to General Service staff members recruited from outside the local area. The gross pensionable remuneration of such staff shall be determined in accordance with the methodology specified in article 54 (a) of the Regulations of the United Nations Joint Staff Pension Fund and are shown in the salary scales applicable to such staff.

7. The Secretary-General shall establish rules under which a language allowance may be paid to staff members in the General Service category who pass an appropriate test and demonstrate continued proficiency in the use of two or more official languages.

8. In order to preserve equivalent standards of living at different offices, the Secretary-General may adjust the basic salaries set forth in paragraphs 1 and 3 of the present annex by the application of non-pensionable post adjustments based on relative costs of living, standards of living and related factors at the office concerned as compared to New York. Such post adjustments shall not be subject to staff assessment.

9. No salary shall be paid to staff members in respect of periods of unauthorized absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons.

Salary scale for staff in the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment

Effective 1 January 2005

(United States dollars)

		STEPS														
Level		*I*	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*	*XIV*	*XV*
USG	Gross	189 952														
	Net D	127 970														
	Net S	115 166														
ASG	Gross	172 860														
	Net D	117 373														
	Net S	106 285														
			*	*	*	*	*									
D-2	Gross	141 974	145 065	148 156	151 248	154 340	157 431									
	Net D	98 224	100 140	102 057	103 974	105 891	107 807									
	Net S	90 236	91 854	93 466	95 072	96 674	98 269									
						*	*	*	*	*						
D-1	Gross	129 405	132 119	134 832	137 547	140 261	142 974	145 689	148 403	151 116						
	Net D	90 431	92 114	93 796	95 479	97 162	98 844	100 527	102 210	103 892						
	Net S	83 587	85 050	86 509	87 965	89 418	90 867	92 312	93 755	95 194						
												*	*	*		
P-5	Gross	106 368	108 679	110 987	113 295	115 605	117 913	120 223	122 532	124 842	127 150	129 458	131 768	134 077		
	Net D	76 148	77 581	79 012	80 443	81 875	83 306	84 738	86 170	87 602	89 033	90 464	91 896	93 328		
	Net S	70 742	72 014	73 282	74 550	75 815	77 077	78 338	79 596	80 852	82 106	83 358	84 607	85 855		
														*	*	*
P-4	Gross	86 211	88 303	90 423	92 650	94 879	97 106	99 335	101 563	103 792	106 018	108 247	110 474	112 703	114 931	117 160
	Net D	63 499	64 880	66 262	67 643	69 025	70 406	71 788	73 169	74 551	75 931	77 313	78 694	80 076	81 457	82 839
	Net S	59 132	60 390	61 647	62 901	64 155	65 407	66 659	67 909	69 157	70 405	71 651	72 896	74 140	75 383	76 625
															*	*
P-3	Gross	69 779	71 715	73 656	75 589	77 530	79 467	81 402	83 342	85 280	87 217	89 156	91 161	93 226	95 287	97 350
	Net D	52 654	53 932	55 213	56 489	57 770	59 048	60 325	61 606	62 885	64 163	65 443	66 720	68 000	69 278	70 557
	Net S	49 149	50 325	51 503	52 678	53 856	55 030	56 206	57 383	58 558	59 734	60 906	62 079	63 250	64 422	65 594
													*			
P-2	Gross	56 465	58 056	59 643	61 344	63 077	64 809	66 542	68 273	70 008	71 742	73 473	75 209			
	Net D	43 655	44 800	45 943	47 087	48 231	49 374	50 518	51 660	52 805	53 950	55 092	56 238			
	Net S	40 947	41 985	43 020	44 057	45 092	46 130	47 184	48 234	49 289	50 341	51 392	52 447			
P-1	Gross	43 831	45 358	46 883	48 413	49 938	51 464	52 992	54 519	56 043	57 571					
	Net D	34 558	35 658	36 756	37 857	38 955	40 054	41 154	42 254	43 351	44 451					
	Net S	32 599	33 612	34 625	35 638	36 650	37 662	38 676	39 676	40 672	41 668					

D = Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

* = The normal qualifying period for in-grade movement between consecutive steps is one year, except at those steps marked with an asterisk for which a two-year period at the preceding step is required.

Annex II

Letters of appointment

(a) The letter of appointment shall state:

(i) That the appointment is subject to the provisions of the Staff Regulations and of the Staff Rules applicable to the category of appointment in question and to changes which may be duly made in such regulations and rules from time to time;

(ii) The nature of the appointment;

(iii) The date at which the staff member is required to enter upon his or her duties;

(iv) The period of appointment, the notice required to terminate it and the period of probation, if any;

(v) The category, level, commencing rate of salary and, if increments are allowable, the scale of increments, and the maximum attainable;

(vi) Any special conditions which may be applicable.

(b) A copy of the Staff Regulations and the Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he or she has been acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules;

(c) The letter of appointment of a staff member on secondment from government service signed by the staff member and by or on behalf of the Secretary-General, and relevant supporting documentation of the terms and conditions of secondment agreed to by the Member State and the staff member, shall be evidence of the existence and validity of secondment from government service to the Organization for the period stated in the letter of appointment.

Annex III

Termination indemnity

Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

(a) Except as provided in paragraphs (b), (c) and (e) below and in regulation 9.3 (b), the termination indemnity shall be paid in accordance with the following schedule:

	Months of gross salary, less staff assessment, where applicable		
Completed years of service	*Permanent appointments*	*Temporary appointments which are not for a fixed term*	*Temporary appointments for a fixed term exceeding six months*
Less than 1	Not applicable	Nil)	One week for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay
1	Not applicable	1)	
2	3	1)	
3	3	2)	
4	4	3)	
5	5	4)	
6	6	5	3
7	7	6	5
8	8	7	7
9	9	9	9
10	9.5	9.5	9.5
11	10	10	10
12	10.5	10.5	10.5
13	11	11	11
14	11.5	11.5	11.5
15 or more	12	12	12

(b) A staff member whose appointment is terminated for reasons of health shall receive an indemnity equal to the indemnity provided under paragraph (a) of the present annex reduced by the amount of any disability benefit that the staff member may receive under the Regulations of the United Nations Joint Staff Pension Fund for the number of months to which the indemnity rate corresponds;

(c) A staff member whose appointment is terminated for unsatisfactory service or who for disciplinary reasons is dismissed for misconduct other than by summary dismissal may be paid, at the discretion of the Secretary-General, an indemnity not exceeding one half of the indemnity provided under paragraph (a) of the present annex;

(d) No indemnity payments shall be made to:

A staff member who resigns, except where termination notice has been given and the termination date agreed upon;

A staff member who has a temporary appointment that is not for a fixed term and that is terminated during the first year of service;

A staff member who has a temporary appointment for a fixed term that is completed on the expiration date specified in the letter of appointment;

A staff member who is summarily dismissed;

A staff member who abandons his or her post;

A staff member who is retired under the Regulations of the United Nations Joint Staff Pension Fund.

(e) Staff members specifically engaged for conference and other short-term service or for service with a mission, as consultants or as experts, and staff members who are locally recruited for service in established offices away from Headquarters may be paid termination indemnity if and as provided in their letters of appointment.

Annex IV

Repatriation grant

In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the United Nations, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Secretary-General.

Years of continuous service away from home country	*Staff member with a spouse or dependent child at time of separation*	*Staff member with neither a spouse nor dependent child at time of separation*	
		Professional and higher categories	*General Service category*
	Weeks of gross salary, less staff assessment, where applicable		
1	4	3	2
2	8	5	4
3	10	6	5
4	12	7	6
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

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United Nations ST/SGB/2005/6

Secretariat

29 March 2005

Secretary-General's bulletin

Amendment to staff rule 106.2

The Secretary-General, pursuant to staff regulation 12.2, and for the purpose of aligning the cycle used for the recording of sick leave with the new annual leave cycle introduced by ST/SGB/2004/16, hereby promulgates the text of the amendment to staff rule 106.2 which is set out in the annex to the present bulletin. This amendment shall be provisional until the requirements of staff regulations 12.3 and 12.4 have been met.

The amendment promulgated by the present bulletin shall enter into force on 1 April 2005.

To facilitate the transition to the new cycle, and on a one-time basis, up to nine days of uncertified sick leave may be taken during the period from 1 January 2005 to 31 March 2006. The normal seven-day maximum will be observed starting from 1 April 2006.

(*Signed*) Kofi A. **Annan**
Secretary-General

05-29160 (E) 010405

Annex

Amendment to the Staff Rules

Rule 106.2

Sick leave

...

(c) A staff member may take uncertified sick leave of not more than three consecutive working days at a time, for up to seven working days in an annual cycle starting on 1 April of each year, when incapacitated for the performance of his or her duties by illness or injury. Part or all of this entitlement may be used to attend to family-related emergencies, or for paternity leave in case of birth or adoption of a child, in which case the limitation of three consecutive working days shall not apply.